

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:
Paul Wilkinson Dent

Serial No.: 09/915,896

Filing Date: July 26, 2001

Docket No.: 4015-984

Title: Communication System Employing
Transmit Macro-Diversity

Examiner: Nick Corsaro

Group Art Unit: 2684

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Sandra Broadwell Paye
Sandra Broadwell-Paye

SUPPLEMENTAL RESPONSE TO FINAL OFFICE ACTION OF 2/17/04

A Notice of Appeal was timely submitted by Applicant on 17 August 2004 responsive to the examiner's Final Rejection of 17 February 2004. In the accompanying letter enclosed herewith, Applicant withdraws the appeal and submits this supplemental, After-Final response. This response is timely submitted within the two-month time window allotted for submittal of Applicant's Appeal Brief, and the Commissioner is hereby authorized to charge any required extension-of-time payments to Deposit Account 18-1167. The required extension-of-time fees should not exceed the 1-month charge of \$110 for the reasons explained in the 17 August 2004 letter accompanying Applicant's Notice of Appeal.

Briefly, the file wrapper for this matter was unavailable to Examiner Corsaro during paperless conversion processing at the PTO, leaving him unable to issue an Advisory Action in this matter and denying Applicant benefit of the two-month rule for

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extension fee calculation. However, the Commissioner is authorized to charge extension-of-time fees in excess of the expected \$110 to the deposit account identified above.